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REMARKS

' Applicants appreciate the continued thorough examination of the present application. As discussed below, Applicants have amended Claim 13 to correct several typographical errors, which addresses two of issues raised on the Final Office Action under 35 U.S.C. § 112. Applicants thank the examiner for bringing these mistakes to Applicants' attention. Applicants respectfully request that the examiner reconsider the remaining rejections for the reasons discussed herein.

I.   The Indefiniteness Rejections Under 35 U.S.C. 112

Claim 1 stands rejected under 35 U.S.C. § 112 on the grounds that the term "status information" is indefinite. (Final Office Action at p. 2). In particular, the Final Office Action states that it is not clear what the term "status information" refers to, and that there is no established relationship between the term "status information" and anything else in the body of the claim. (Final Office Action at p. 2). Applicants respectfully traverse this rejection.

The preamble of Claim 1 states that the claim is directed to a "method for gathering status information." The last clause of Claim 1 identifies certain of the types of status information that are gathered, including (1) a first number of messages stored in a first input queue, (2) a second number of messages stored in a second input queue, (3) a third number of messages stored in a first output queue, (4) a fourth number of messages stored in a second output queue, and (5) the activation status of a processing task. Applicants respectfully submit that, from both Claim 1 itself and from the application as a whole, it is clear that the phrase "gathering status information" recited in the preamble of Claim 1 refers to at least the above-mentioned . types of status information that Claim 1 specifically recites are gathered according to the claimed methods. As such, Applicants respectfully submit that Claim 1 is not indefinite, and that the rejection of Claim 1 under 35 U.S.C. § 112 should be withdrawn.

Alternatively, if this is the only issue preventing allowance of the present application, Applicants **hereby authorize the examiner** to delete the phrase "gathering status information in" at lines 1-2 of Claim 1 by an Examiner's Amendment.

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Claim 13 stands rejected under 35 U.S.C. § 112 on the grounds that the terms "a first plurality queues" and "a second plurality queues" are indefinite, as it is unclear whether these terms are intended to be singular or plural. (Final Office Action at p. 2). These terms included an inadvertent typographical error in that the word "of" was left out of each term. Claim 13 has been amended to correct this typographical error.

Claim 13 also stands rejected under 35 U.S.C. § 112 on the grounds that it is unclear whether the two incidences of the term "part of the message queuing transmission system" refer to one or two different things. (Final Office Action at p. 3). Applicants respectfully traverse this rejection.

The objected to terms of Claim 13 are part of two larger recitations, namely:

1. "assigning a first plurality of queues that comprise part of the message queuing transmission system to a first queue group" and

2. "assigning a second plurality of queues that comprise part of the message queuing transmission system to a second queue group"

Under standard English conventions, the phrase "that comprise part of the message queuing transmission system" modifies the phrase "first plurality of queues" in item 1 above and "second plurality of queues" in item 2 above. Thus, in Claim 13, the "first plurality of queues" encompass queues that are part of the message transmission system and the "second plurality of queues" likewise encompass queues that are part of the same message transmission system. Accordingly, Applicants respectfully submit that the above identified indefiniteness rejection should also be withdrawn, as it is clear that in both cases the claim language refers to the same "message queuing transmission system."

Finally, Claim 13 stands rejected under 35 U.S.C. § 112 because the phrase "the application processing tasks" lacks antecedent basis. Applicants have amended Claim 13 to correct this informality, and appreciate the examiner's bringing this matter to Applicants' attention.

II.   The Rejections Under 35 U.S.C. 103

Claims 1 and 3, 6-8, 13-14 and 17 stand rejected under Section 103 as obvious in view of U.S. Patent No. 6,246,691 to Briem ("Briem") in view of U.S. Patent No.

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6,085,277 to Nordstrom ("Nordstrom"). Claims 2 and 15 stand rejected under

Section 103 as obvious over Briem, Nordstrom and further in view of U.S. Patent

Publication No. 2002/0035620 to Takahashi ("Takahashi"). Claims 4-5, 9-12, 16 and

18 stand rejected under Section 103 as obvious over Briem, Nordstrom and further in

view of U.S. Patent No. 6,757,289 to Cain ("Cain"). As discussed below, Applicants

respectfully submit that the primary reference (Briem) cited in the pending rejections

does not disclose or suggest various of the claim recitations that the Final Office

Action cites to Briem as disclosing. As such, Applicants submit that the rejections of

Claims 1-18 under 35 U.S.C. § 103 should also be withdrawn.

A.   The Rejection of Claim 1

Claim 1 recites as follows:

1. A computer implemented method for gathering status information
in a message queuing transmission system, the method comprising:

[a]   forming a first queue group by assigning an input queue group
identifier to a first input queue and to a second input queue within a message
queuing transmission system;

[b]   forming a second queue group by assigning an output queue
group identifier to a first output queue and to a second output queue within the
message queuing transmission system;

[c]   assigning a first queue identifier to the first input queue, a
second queue identifier to the second input queue, a third queue identifier to
the first output queue, and a fourth queue identifier to the second output
queue;

[d]   assigning a task identifier to a processing task within the
message queuing transmission system;

[e]   determining a first number of messages stored in the first input
queue, a second number of messages stored in the second input queue, a third
number of messages stored in the first output queue, and a fourth number of
messages stored in the second output queue;

[f]   determining an activation status of the processing task; and

[g]   gathering, in a task monitor storage area, the first number of
messages stored in the first input queue, the second number of messages
stored in the second input queue, the third number of messages stored in the

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first output queue, the fourth number of messages stored in the second output queue, and the activation status of the processing task.

The Final Office Action states that Briem teaches all of the recitations of Claim 1 except for recitations [e] and [g] above. (Final Office Action at pp. 3-4). Applicants disagree, however, with the conclusions stated in the Final Office Action regarding the teachings of Briem.

For example, the Final Office Action states that Briem discloses recitations [a] and [b] of Claim 1. These recitations involve forming a first queue group that includes first and second **input** queues and forming a second queue group that includes first and second **output** queues. Notably, the Final Office Action in discussing these claim recitations deletes all references to "input" and "output." Applicants submit that the Final Office Action does not attempt to characterize the queues of Briem as being "input" or "output" queues because it is clear that only one type of queue is discussed in Briem. As such, Briem does not disclose both forming a first queue group that includes **input** queues and forming a second queue group that includes **output** queues as recited in Claim 1. Applicants respectfully submit that, in evaluating patentability, all of the words in Claim 1 must be considered and given effect. Thus, since the Final Office Action has failed to identify any teaching within the cited references of forming both a first queue group that includes first and second **input** queues **and** a second queue group that includes first and second **output** queues, the rejection of Claim 1 should be withdrawn.

Claim 1 also recites (see [d] above) "assigning a task identifier to a processing task within the message queuing transmission system." This recitation of Claim 1 is nowhere mentioned in the Final Office Action's discussion of the rejection of Claim 1. Applicants respectfully submit that this recitation is not taught by the cited art. In any event, the absence of any indication that this recitation is taught by the cited art provides a separate and indpendent basis for withdrawal of the pending rejections.

The Final Office Action further states that Briem, at Col. 2, lines 40-48, discloses "determining an activation status of the processing task" as recited in clause [f] of Claim 1. However, the cited portion of Briem has nothing to do with "determining an activation status of the processing task." In fact, no processing task

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is identified in the cited portion of Briem, let alone any teachings regarding determining the activation status of such a processing task. Moreover, nowhere else does Briem discuss or disclose "determining an activation status of the processing task." Applicants respectfully submit that this provides another independent basis for the withdrawal of the rejection of Claim 1. If the examiner maintains that recitation [f] of Claim 1 is disclosed in Briem, Applicants respectfully request that the examiner identify what processing task is disclosed in Briem and specifically how Briem determines the activation status of the identified processing task.

The Final Office Action concedes that recitations [e] and [g] of Claim 1 are not taught or disclosed in Briem. The Final Office Action cites to Nordstrom as disclosing these recitations of Claim 1, and contends that it would have been obvious to combine Briem and Nordstrom to arrive at the invention of Claim 1. Applicants also respectfully dispute this finding of the Final Office Action.

For example, the Final Office Action states Nordstrom teaches counting the number of messages in the input and output queues by its disclosure of Message Counter 270 in FIG. 1B. However, Nordstrom expressly states that the Message Counter 270 counts the number of **reply** messages sent by an I/O adapter 200. As such, Nordstrom clearly does not include any teaching or disclosure of counting a first number of messages stored in first and second **input** queues as recited in Claim 1, as all that is counted is **sent** messages. Moreover, Applicant respectfully submits that one of skill in the art would not have been motivated to combine Briem and Nordstrom at all, and that even if they were to form such a combination, it would look nothing like the invention of Claim 1.

Finally, the Final Office Action does not even attempt to argue that either Briem or Nordstrom disclose or suggest gathering **in a task monitor storage area** the information recited in recitation [g] of Claim 1. This provides yet another independent basis for withdrawal of the rejection of Claim 1.

Thus, for each of the above reasons, Applicants respectfully submit that the cited art does not teach or suggest the invention of Claim 1, and hence the rejection of Claim 1 should be withdrawn.

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B.   The Rejection of Independent Claim 13

Independent Claim 13 stands rejected under 35 U.S.C. § 103 "for the same reasons stated in the rejection of Claim 1." (Final Office Action at p. 6). For the reasons discussed above with respect to Claim 1, Applicants respectfully submit that combination of Birem and Nordstrom clearly do not teach the invention of Claim 13.
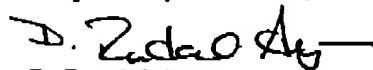
C.   The Rejections of Dependent Claims 2-12 and 13-18

Claims 2-12 depend from Claim 1. Claims 14-18 depend from Claim 13. As such, the rejections of these claims should be withdrawn for the same reasons, discussed above, that the rejections of Claim 1 and 13 should be withdrawn. Applicants also respectfully submit that Claims 2-12 and 14-18 are independently patentable over the cited art. However, in light of the numerous shortcomings with respect to the rejection of Claim 1, Applicants do not believe that it is necessary to further argue with respect to the patentability of dependent Claims 2-12 and 14-18.

III.   Conclusion

Applicants submit that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.
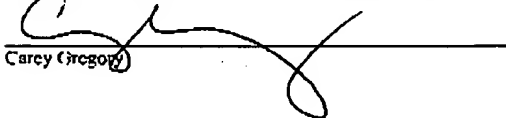
Respectfully submitted,

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